

the premises to satisfy the same, which action shall be conducted in the same form as provided in section seventy-two of this act, and the board of aldermen shall have no right or power to rebate or release such penalties, or any part of same, and on the trial of said action proof of the service of the notice upon the owner of said premises or his agent, in the manner provided in section sixty-eight, shall be sufficient, and the court may enter judgment and decree the sale of the property; and the provisions as to appeal to the Superior Court, provided for in section seventy-two of this act, shall be applicable to all suits or actions for penalties hereunder. The said board shall have the right and power to pass such ordinances as shall be necessary to enforce the collection of all such fees and charges hereinbefore provided for.

Right of appeal.

Enforcement of collection.

SEC. 64. That where unnecessary waste of water is known or suspected, the board of aldermen shall have the authority to cause entry to be made, at reasonable hours, after demand and refusal, into and upon any building, place, or premises where such water is taken and used, and examine and inquire into the cause of the waste thereof, and may prescribe penalties for any person who refuses to permit such examination or obstructs the performance of this duty; and the supply of water may be cut off until such examination is made.

Inquiries as to waste of water.

Penalty for obstructing examination.

SEC. 65. That accurate account shall be kept of all receipts and disbursements and expenditures on account of the operation of the water-works and sewerage systems separate from the other funds of the city.

Accounts of water-works and sewer system.

SEC. 66. That if any person or persons shall maliciously or willfully divert the water, or any portion thereof, from the city water-works, or shall corrupt or render the same impure, or shall destroy or injure any canal, aqueduct, pipe, or other property used or acquired for procuring or distributing the water, or connected with the sewerage system of said city of Wilmington, or any part of same, or shall otherwise interfere with, injure, destroy, or change either said water or sewerage systems, or any part of the same, the said person shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five hundred dollars or shall be imprisoned not exceeding one year, at the discretion of the court.

Interference with water-works declared misdemeanor.

Punishment.

SEC. 67. That the said board of aldermen shall have the right to use the ground or soil within the right of way of any street railway or other railway, highway, public lane or alley, for the purpose of extending or improving, enlarging, or adding to the said systems of water-works or sewerage, and may carry pipes under any railroad or highway for said purposes, under condition that such property shall not be permanently injured, and shall be restored to its original condition, or damages done thereto repaired as expeditiously as may be reasonable and with as little inconvenience to the owners of such disturbed property as may be actually necessary.

Use of lands for systems.